

ORDINANCE NO. 2623

INTRODUCED BY: CHACON, DOUGLAS, DOUGLAS, DUKES, FORD, KIM, MADERA,
NOBLE, TETER

AN ORDINANCE REPEALING THE EXISTING MORATORIUM ON NEW RETAIL AND MEDICAL MARIJUANA STORE LICENSES IN WARDS I AND II IN THE CITY OF COMMERCE CITY

WHEREAS, following the legalization of medical marijuana in Colorado, the City Council authorized the licensing and operation of medical marijuana businesses by passage of Ordinance 1894 on June 18, 2012;

WHEREAS, following the legalization of recreational marijuana in Colorado, the City Council enacted a moratorium on the licensing and operation of recreational marijuana businesses by passage of Ordinance 1954 on May 6, 2013;

WHEREAS, the moratorium on recreational marijuana licensing was extended by passage of Ordinance 2011 on July 7, 2014;

WHEREAS, the moratorium on recreational marijuana licensing was repealed by passage of Ordinance 2055 on June 1, 2015;

WHEREAS, the City Council authorized the licensing and operation of recreational marijuana businesses by passage of Ordinance 2050 on June 1, 2015;

WHEREAS, currently the City has 39 medical and recreational marijuana licenses that are active or in process and 37 of the 39 license are located within Wards I and II of the City;

WHEREAS, City Council passed Ordinance 2527 which enacted a twelve-month moratorium on new recreational and medical marijuana retail stores in Wards I and II beginning on August 1, 2023; and

WHEREAS, City Council passed Ordinance 2567 which extended the moratorium for an additional six months on July 15, 2024; and

WHEREAS, the City Council wishes to repeal the moratorium following the adoption of new security and design standards and new limits on the number of retail stores in the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COMMERCE CITY, COLORADO, AS FOLLOWS:

SECTION 1. Findings. The recitals to this ordinance are incorporated as findings of the City Council. This ordinance is found to be necessary for the preservation of the public health, safety, and welfare and is found to be in the public interest.

SECTION 2. Repealing CCRMC Sec. 8-2500. Section 8-2500 of the Commerce City Revised Municipal Code is hereby repealed in its entirety as set forth in Exhibit A to this Ordinance.

SECTION 3. Inconsistencies; Conflicts. Except as specifically modified herein, the provisions of the Commerce City Revised Municipal Code shall remain unchanged and in full force and effect. All ordinances and provisions of the Commerce City Revised Municipal Code, or portions thereof, inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

SECTION 4. Effect on Existing Licenses and Applications; Savings. Nothing in this ordinance shall be construed to modify the current appointment of the Marijuana Licensing Authority or to reduce or modify the authority or prior actions and orders of the Marijuana Licensing Authority, except as specifically provided.

SECTION 5. Effective Date. This ordinance shall be effective on February 2, 2025.

INTRODUCED, PASSED ON FIRST READING AND PUBLIC NOTICE ORDERED
THIS 16TH DAY OF DECEMBER 2024.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED
THIS 6TH DAY OF JANUARY 2025.

CITY OF COMMERCE CITY, COLORADO

Steve J. Douglas, Mayor

ATTEST

Dylan A. Gibson, City Clerk

EXHIBIT A TO ORDINANCE 2623
(Strikethroughs indicated deletions; underlines indicate additions)

*****BEGIN*****

COMMERCE CITY REVISED MUNICIPAL CODE
ARTICLE II. - MARIJUANA BUSINESSES
~~DIVISION 5. - MORATORIUM~~

~~Sec 8-2500 - Moratorium on retail and medical marijuana store licenses; Sunset.~~

- ~~(a) Moratorium on new marijuana store licenses. The city shall not accept any license application for a new retail marijuana or medical marijuana store to be located in Ward I or II after August 1, 2023.~~
- ~~(b) Existing applications. All license applications for retail marijuana or medical marijuana stores submitted to the city prior to August 1, 2023 shall be reviewed by the Authority and licenses shall be granted, granted with conditions, or denied in accordance with the Marijuana Code.~~
- ~~(c) Moratorium sunset. Subsection (a) of this section 8-2500 shall be repealed effective February 1, 2025.~~